



OKLAHOMA
DEPARTMENT OF COMMERCE

OKLAHOMA WORKFORCE DEVELOPMENT ISSUANCE # 05-2013 Change 1

TO: Chief Local Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Staff

FROM: Deidre Myers, Deputy Director of Commerce
Office of Economic and Workforce Policy

DATE: July 29, 2013

POLICY CATEGORY: A

SUBJECT: Guidance Policy for Role or Workforce Investment Area Change

PURPOSE: To provide guidance and direction to those Workforce Investment Boards (WIBs) that are making the decision, due to the current economic climate, to consolidate or change current roles in order to provide more efficient services that meet the needs of both their business and job seeker customers.

BACKGROUND: The Oklahoma Department of Commerce (ODOC), Workforce Services Division, would like to offer these guidelines and definitions or steps for these efforts if your area so chooses one of the options.

Guidance for Consolidation or Change of Roles or Areas

Section 1: Relates to changing fiscal agents or having a single fiscal agent for two or more areas.

Below are some initial steps that need to be taken regarding change in fiscal agent:

- The law states that the Chief Local Elected Official (CLEO) can designate the fiscal agent, so action to designate a new fiscal agent can be taken any time by the Local Elected Officials (LEO) board. Section 117(d)(3)(B)(i)(II).
 - The new fiscal agent must agree to accept being the fiscal agent.
 - Once the above actions are taken, ODOC needs to be notified so that contracts can be changed for funds to flow to the new fiscal agent. This will require some transition time.
 - An agreement between the LEOs and the fiscal agent should be written and signed to clarify the agreements Roles and Responsibilities Oklahoma Workforce Development Issuance (OWDI) see Memorandum of Understanding (MOU) examples.
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- A joint LEO board meeting between the two areas should be held. ODOC will participate as needed and requested.
- Out of that meeting, a new LEO consortium agreement should be drafted outlining the agreement and roles so that there are no misunderstandings. Roles and Responsibilities policy OWDI #01-2012.

Section 2: Relates to forming a new area, i.e. local area designation – re-designation.

The consolidation of boards into a new workforce investment area is the process that takes place between notice to the state for re-designation, and the new board becoming operational.

Re-designation of an area:

- Agreement needs to be reached by the area local elected officials that a new area or re-designation is desired.
- After above agreement has been reached, a letter needs to be sent to the Governor (through ODOC) requesting re-designation of the area to include the larger regional area.
- The above letter must be accompanied by documentation that there was a 30-day public comment period, how the public was notified, and any comments received as a result of the public comment period. Final Rule 661.341.
- The Governor's Council, as the State WIB will need to recommend approval of the new area.
- Once approved, the process of appointing new board members to ensure representation of the entire area can be done as per the new consortium agreement. (See policy on WIB certification for nomination and appointment process.)
- Additional clarifying agreements should be done to ensure that each entity knows and understands their role and the relationships (agreement between WIB and LEO's, agreement between WIB and fiscal agent) (examples provided in Roles and Responsibilities policy). See above section for guidance to change fiscal agent.
- Certification documentation is submitted to ODOC that includes the make-up of the board membership and other required certification documentation.
- The state will certify the board as per normal certification processes, including final approval from the Governor's Council. (Reference the WIB certification policy.)
- The state plan will need to be modified and sent to the U.S. Department of Labor (DOL) after a public comment period.
- The local plan also will need to be modified and sent to ODOC after a public comment period.
- Once certified, the new board representing the new area should be operational.

These processes should become a part of any new consortium agreement for new or existing areas. Any contractual changes to existing agreements will be held to this guidance at the end period of the current contracts.

RESCISSIONS: This policy rescinds the original OWDI #05-2013 by removing section 2. The original section 2 will be re-written and issued under separate cover through the Category B policy process.

ACTION REQUIRED: Workforce Investment Board staff are requested to distribute copies of this issuance to appropriate staff within the Workforce Investment Area for Workforce Investment ACT (WIA) compliance. This is official state policy and should be kept in your permanent policy issuance file.

Questions, comments or requests for assistance regarding this policy or these steps or guidelines should be directed to Jeane Burruss, Project Director, (405) 815-5256, or email Jeane_Burruss@okcommerc.gov.